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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LTTB LLC, a California limited liability
company,

Plaintiff,

v.

REDBUBBLE, INC., a Delaware corporation,

Defendant.

Case No.: 3:18-cv-509-RS

**DECLARATION OF JEFFREY E.
FAUCETTE IN SUPPORT OF
PLAINTIFF LTTB LLC'S NOTICE OF
MOTION AND MOTION FOR
SUMMARY JUDGMENT AND
OPPOSITION TO DEFENDANT
REDBUBBLE'S MOTION FOR
SUMMARY JUDGMENT**

Date Action Filed: January 23, 2018

Hearing: June 13, 2019
Time: 1:30 p.m.
Place: Courtroom 3, 17th Floor
Judge: Hon. Richard Seeborg

1 I, Jeffrey E. Faucette, declare as follows:

2 1. I am counsel of record to Plaintiff LTTB, LLC (“LTTB”) in the above-captioned
3 action. I make this declaration in support of Plaintiff LTTB, LLC’s Motion for Summary
4 Judgment and in opposition to Defendant Redbubble, Inc.’s Motion for Summary Judgment.
5 Unless otherwise stated, I have personal knowledge of the facts stated in this declaration. If called
6 upon to do so, I could and would competently testify to the facts stated herein.

7 2. Attached hereto as Exhibit 1 is a true and correct copy of excerpts from the
8 Deposition of Redbubble, Inc. through its designated representative James N. Toy.

9 3. Attached hereto as Exhibit 2 is a true and correct copy of a document produced by
10 Redbubble in this litigation (Bates numbered BATES004267-4293) and marked as Exhibit 16 to
11 the deposition of Redbubble.

12 4. Attached hereto as Exhibit 3 are true and correct copies of documents produced by
13 Redbubble in this litigation. These documents were marked as Exhibit 25 to the deposition of
14 Redbubble, and counsel for Redbubble stipulated to their admissibility during the deposition. The
15 documents have been reordered to chronological order rather than Bates number order.

16 5. Attached hereto as Exhibit 4 is a true and correct copy of an order issued recently in
17 *Williams-Sonoma, Inc. v. Amazon.com, Inc.*, No. 18-cv-07548-EDL, 4-6 (N.D. Cal. May 2, 2019).
18 This order is not yet available on Westlaw.

19 6. Attached hereto as Exhibit 5 is a true and correct copy of Redbubble’s Annual
20 Report 2018 which I downloaded from the internet.

21 I declare under penalty of perjury under the laws of the United States of America that the
22 foregoing is true and correct. Executed this 13th day of May, 2019.

23 /s/
24 _____
25 Jeffrey E. Faucette
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